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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,838	12/20/2001	Atsushi Shibata	62807-024	1467

7590 07/25/2005
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Washington, DC 20005-3096

EXAMINER

FLEARY, CAROLYN FATIMAH

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/022,838	Applicant(s) SHIBATA, ATSUSHI	
	Examiner Carolyn F. Fleary	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/12/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 10 objected to because of the following informalities: The article "a" is missing on line 5 of the claim between "of" and "management". Appropriate correction is required.
2. Claim 23 is objected to because of the following informalities: The article "a" is missing on line 2 of the claim between "of" and "management". Appropriate correction is required.
3. Claim 30 objected to for failing to further limit the scope subject matter of a previous claim. Examiner suggest Applicant cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Claim 14-16,18, and 24, 33-36 are rejected under 35 U.S.C. 112, second paragraph
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. , as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
 - Claim 14, 24, and 33 are unclear as the claimed subject matter pertains to performing the same address translation recited in independent claim 9 and 19 respectively. It is not clear from the specification or claim the purpose of performing the exact same translation using a "different address system". Claims 15-16 and 25-26, and 34-35 are also rejected as being indefinite because these claims are depend from and indefinite rejected claim.

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- In regards to claim 18 and 36, Applicant does not provide subject matter that enables one skilled in the art to distinguish between a "management address" and a "virtual address". Hence examiner interprets a "management address" and a "virtual address to be equivalent"

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 9 –36 are rejected under 35 U.S.C. 102(b) as being anticipated by Denison et al. (US 6,581,108).

In regards to claim 9, Denison et al. disclose a management protocol proxy (102) for performing network management between different networks connected via an Internet Protocol (IP) Network address Translator (104), comprising:

- a address translation process unit that translates a transmission source address contained in a packet of a management protocol transmitted from a monitor apparatus on a network ((112-1 to 112-N) connected by the management protocol proxy (102) into a management address belonging ~~a~~ ~~and~~ address system different from an address system defined by the NAT (e.g. translation by a different address system than a NAT performed by 102-col. 3 ll. 22-26, col. 3 ll. 31-43)

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- an assembly/disassembly processing unit that generates management protocol proxy data including the packet of management protocol after the address translation, a transmission source address in which an address of the management protocol proxy is sent, and a transmission destination address in which an address of another management protocol proxy (106) is set (e.g. col. 3 ll. 28-30)
- a communication unit that transmits the management protocol proxy data to said another management protocol proxy (106) designated by the transmission destination address (e.g. col. 3 ll. 28-30).

Although Dennison does not explicitly recite "transmission destination address in which an address of another management protocol proxy setting an address to that of another management ", it is quite clear that this step exist in the disclose of packets which are sent from a proxy (MPAT-102) to proxy (MGMT-106) that destination address of a proxy (106) must be set in order for it to receive the packets in an network that utilizes address translation in an IP network (col. 3 ll. 28-30).

8. In regards to claim 10 Dennison discloses the management protocol proxy according to claim 9, further comprising:

- an address translation definition (e.g. look up process in a translation table col. 5-6) in which correspondence relationships between management address belonging to the different address system and real address (e.g. address translation on payload packets PDUs col. 4 ll. 24-38, col. 5 ll. 1-6) are defined,
- wherein the address translation-processing unit (e.g. look up process col. 5-6) translates the transmission source address contained in the packet of management protocol into a management address (e.g. IP address replaced with translated IP

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address col. 4 ll. 36-37), based on the address translation definition (e.g. address translation on payload packets PDUs col. 4 ll. 24-38, col. 5 ll. 1-6).

In regards to claim 11, Dennison et al. discloses the management protocol proxy according to claim 10, wherein the address translation processing unit further translates address information in data contained in the packet of management protocol (e.g. SNMP packet col. 3 ll. 55-60)

In regards to claim 12, Dennison et al. discloses the management protocol proxy according to claim 11, wherein:

- the management protocol proxy is Simple Network Management Protocol Proxy (e.g. SNMP packet col. 3 ll. 55-60),
- the packet of the management protocol comparisons and SNMP message, and the data contain in the packet of the management protocol is a Protocol Data Unit (PDU) (col. 4 ll. 24-30)

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In regards to claim to Claim 17, Dennison disclose the management protocol proxy according to claim 9, wherein the management protocol proxy comprises a proxy server (102, col. 3 ll. 44-55).

In regards to claim 18, Denison et al. disclose the management protocol proxy according to claim 9, wherein the translation of the transmission source address by the address translation processing unit translates the transmission source address into a virtual address (e.g. translation by a different address system than a NAT performed by 102-col. 3 ll. 22-26, col. 3 ll. 31-43)

In regards to claim 19, Denison et al. discloses that which is recited in claim 19 for the same reasons as disclosed in the rejection of claim 1 above.

In regards to claim 20 , Denison et al. discloses that which is recited in claim 20 for the same reasons as disclosed in the rejection of claim 2 above.

In regards to claim 21 , Denison et al. discloses that which is recited in claim 21 for the same reasons as disclosed in the rejection of claim 11 above.

In regards to claim 22 , Denison et al. discloses that which is recited in claim 22 for the same reasons as disclosed in the rejection of 15 above.

In regards to claim 23 , Denison et al. discloses the method according to claim 22, wherein the translation of address information in data contained in the packet of management protocol comprises translating address information contained in the PDU of the SNMP message using the address translation definition and an Abstract Syntax Notation One (ASN.1) define statement of a MIB object to be translated. (see. col. 3 ll. 55-60, col. 4 ll. 7-23).

In regards to claim 28, Denison et al. discloses a program product comprising a computer readable storage medium and executable programming embodied on the medium where execution of the programming causes a programmable device to perform network management between different networks connected via an Internet Protocol (IP) Network address Translator (col. 3 ll. 44-50, col. 4 ll. 8-13, claims 10-20), comprising:

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- translating a transmission source address contained in a packet of a management protocol transmitted from a monitor apparatus on a network ((112-1 to 112-N) connected by the management protocol proxy (102) into a management address belonging a and address system different from an address system defined by the NAT (e.g. translation by a different address system than a NAT performed by 102- col. 3 ll. 22-26, col. 3 ll. 31-43)
- generating management protocol proxy data including the packet of management protocol after the address translation, a transmission source address in which an address of the management protocol proxy is sent, and a transmission destination address in which an address of another management protocol proxy (106) is set (e.g. col. 3 ll. 28-30)
- transmitting the management protocol proxy data to said another management protocol proxy (106) designated by the transmission destination address (e.g. col. 3 ll. 28-30).

In regards to claim 29, Dennison discloses the product according to claim 28, wherein the translating of the transmission source comprises translating the transmission source address contained in the packet of management protocol (e.g. SNMP packet col. 3 ll. 55-60) into a management address (e.g. IP address replaced with translated IP address col. 4 ll. 36-37), based on the address translation definition (e.g. address translation on payload packets PDUs col. 4 ll. 24-38, col. 5 ll. 1-6).

In regards to claim 30, Denison et al. discloses the product according to claim 29, wherein the steps performed further comprise translating address information in data contained in the packet of management protocol (e.g. SNMP packet col. 3 ll. 55-60).

In regards to claim 31, Dennison et al. discloses the product according to claim 30, wherein:

- the management protocol proxy is Simple Network Management Protocol Proxy (e.g. SNMP packet col. 3 ll. 55-60),
- the packet of the management protocol comparisons and SNMP message, and the data contain in the packet of the management protocol is a Protocol Data Unit (PDU) (col. 4 ll. 24-30)

In regards to claim 32, Denison et al. discloses the product according to claim 31, wherein translating of address information in data contained in the packet of management protocol comprises translating address information contained in the PDU of the SNMP message using the address translation definition and an Abstract Syntax Notation One (ASN.1) define statement of a MIB object to be translated. (see. col. 3 ll. 55-60, col. 4 ll. 7-23).

In regards to claim 18, Denison et al. disclose the product according to claim 28, wherein translating the transmission source address by the address translation processing unit translates the transmission source address into a virtual address (e.g. translation by a different address system than a NAT performed by 102-col. 3 ll. 22-26, col. 3 ll. 31-43)

Response to Arguments

9. Applicant's arguments filed May 12, 2005 have been fully considered but they are not persuasive.

10. In response to Applicant's argument Denison does not translate address in address system different from the address system defined by the NAT, Examiner respectfully

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disagrees. Applicant has cancelled all claims and replaced with new claims. In view of the amendments to claims, Examiner points Applicant to new rejection of claims as being anticipated by Denison as described above. In particular, Denison clearly indicates in col. 3 ll. 15-30 an address system different (e.g. Address system used by MPAT-102 to translate data in packet payloads) from and address system defined by the NAT (e.g. NAT translation performed in device -104).

11. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., monitor local host which has only an address of private IP address space, with network management protocol; page 14 Applicant's argument) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to attached US-PTO form 892 Notice of Reference cited for citations of pertinent prior art.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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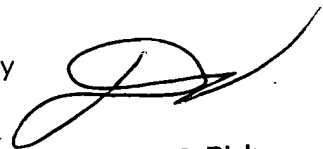
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn F. Fleary whose telephone number is (571) 572-7218. The examiner can normally be reached on 8:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Carolyn F Fleary
Examiner
Art Unit 2152



Dung C. Dinh
Primary Examiner

CFF